

AFM

UNITED STATES DISTRICT COURT **FILED**
 SOUTHERN DISTRICT OF CALIFORNIA
 2008 JUL 10 AM 9:57

UNITED STATES OF AMERICA,

) Magistrate Case No. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

Plaintiff,

) BY **COMPLAINT FOR VIOLATION OF:** DEPUTY

v.

) Title 8, U.S.C., Section 1326;
 Deported Alien Found in the
 United States

Juan Jose ROJAS-Velazquez

AKA: Juan Jose ROJAS

Arturo ROSALES

Juan Vasquez ROJAS

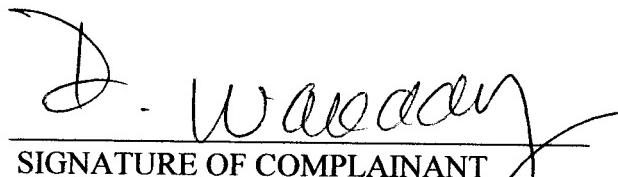
Defendant.

'08 MJ 2088

The undersigned complainant, being duly sworn, states:

On or about, **May 21, 2008**, within the Southern District of California, defendant, **Juan Jose ROJAS-Velazquez** (AKA: **Juan Jose ROJAS, Arturo ROSALES, Juan Vasquez ROJAS**), an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 Immigration Enforcement Agent
 Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **10th** DAY OF **July** 2008.


 UNITED STATES MAGISTRATE JUDGE

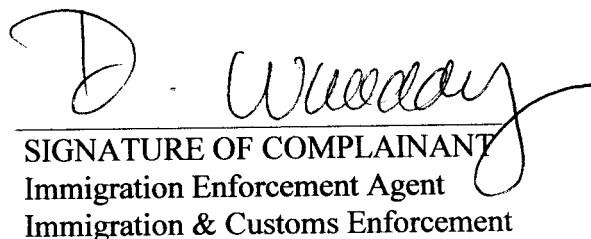
PROBABLE CAUSE STATEMENT

On May 21, 2008, the defendant, **Juan Jose ROJAS-Velazquez**, (AKA: **Juan Jose ROJAS, Arturo ROSALES, Juan Vasquez ROJAS**), was apprehended by United States Border Patrol near Tecate, California for illegal entry and 3056 PC, Parole Violation. The Defendant was then booked into San Diego county jail where an Immigration Agent determined him to be a citizen of Mexico and placed an (I-247) Immigration Detainer pending his release.

On July 9, 2008, defendant was referred to the custody of Immigration and Customs Enforcement (ICE/DRO) for further action. An Immigration Enforcement Agent conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been previously deported or removed from the United States.

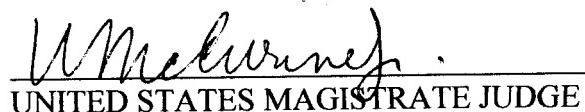
A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant, **Juan Jose ROJAS-Velazquez**, had been ordered removed from the United States by an Immigration Judge on January 25, 1996, and removed to Mexico via the Calexico, California, Port of Entry that same day. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System IDENT and Automated Fingerprint Identification System IAFIS were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as **Juan Jose ROJAS-Velazquez**, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.



SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 10th DAY OF July 2008.



UNITED STATES MAGISTRATE JUDGE